



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
APRIL 3, 2000**

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07-00

CM:cm

The meeting was called to order at 9:45 a.m., with all Members being present and with Chairman Hanley presiding.

Others present were Anthony H. Griffin, County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

AGENDA ITEMS

2. **CERTIFICATE TO RECOGNIZE CHANTILLY HIGH SCHOOL GIRLS' GYMNASTIC TEAM** (Tape 1)

Supervisor Frey moved approval of the Certificate of Recognition presented to Chantilly High School Girls' Gymnastic Team for winning the State Gymnastic Championship title, the first State title in gymnastics in the school's history. Supervisor Hyland seconded the motion and it carried by unanimous vote.

3. **PROCLAMATION TO DECLARE JANUARY 10, 2000, "OAKTON COUGAR BANDS DAY" IN FAIRFAX COUNTY** (Tape 1)

Supervisor Connolly moved approval of the Proclamation declaring January 10, 2000, "Oakton Cougar Bands Day" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE TO RECOGNIZE THE GOLDEN GIRLS SOFTBALL TEAMS** (Tape 1)

Supervisor Connolly moved approval of the Certificate of Recognition presented to the Golden Girls Softball Teams for impressive achievement in the National Senior Olympics competition. Supervisor McConnell seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING THE WEEK OF APRIL 2-8, 2000, AS "BUILDING SAFETY WEEK" IN FAIRFAX COUNTY AND I-1 – INTERNATIONAL BUILDING SAFETY WEEK** (Tape 1)

Supervisor Frey moved approval of the Proclamation designating the week of April 2-5, 2000, as "*Building Safety Week*" in Fairfax County. Chairman Hanley seconded the motion and it carried by unanimous vote.

Chairman Hanley called the Board's attention to I-1 – International Building Safety Week announcing that in observance of International Building Safety Week, April 2-8, 2000, the Department of Public Works and Environmental Services is conducting a campaign to promote and increase public awareness of building safety in Fairfax County.

6. **PROCLAMATION DESIGNATING APRIL 2000 AS "CHILD ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating April 2000 as "*Child Abuse Prevention Month*" in Fairfax County. Supervisor McConnell seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

7. **CERTIFICATES TO RECOGNIZE THE EFFORTS OF THE DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICE (DPWES) AND THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT** (Tape 1)

Supervisor Kauffman moved approval of the Certificates of Recognition presented to DPWES and the Northern Virginia Soil and Water Conservation District to recognize their efforts in the restoration project of the Kingstowne Stream. Supervisor Connolly seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING THE WEEK OF APRIL 3-9, 2000, AS "PUBLIC HEALTH WEEK" IN FAIRFAX COUNTY** (Tape 1)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved approval of the Proclamation designating the week of April 3-9, 2000, as "*Public Health Week*" in Fairfax County. Supervisor Hyland seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING THE WEEK OF APRIL 16-22, 2000, AS "ORGAN AND TISSUE DONATION AWARENESS WEEK" IN FAIRFAX COUNTY** (Tapes 1-2)

Chairman Hanley moved approval of the Proclamation designating April 16-22, 2000, as "*Organ and Tissue Donation Awareness Week*" in Fairfax County. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

10. **10 A.M. - PRESENTATION BY THE ADVISORY SOCIAL SERVICES BOARD OF ITS ANNUAL REPORT** (Tape 2)

(BACs) Yvonne Campbell-Cole, Chair of the Advisory Social Services Board, presented its annual report.

Following discussion, with input from Dana W. Paige, Director, Department of Family Services, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to prepare a report regarding the changes in the Children's Medical Security Insurance Plan. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following further discussion, Supervisor McConnell moved that the Board direct staff to provide information regarding the cost of providing hotel fees versus purchasing some type of living quarters for the homeless.

Chairman Hanley stated that staff is in the process of preparing a report with that information.

Following further discussion, Supervisor Connolly asked unanimous consent that the Board direct staff to:

- Prepare a report regarding the chronology of the delay in the State's technology system and the consequences that the County faces as a result of this delay.

- Prepare a letter to the appropriate State authority with copies to the State Delegation.

Without objection, it was so ordered.

11. **10:15 A.M. - UPCOMING INTERNATIONAL MONETARY FUND/WORLD BANK CONFERENCE TO BE HELD IN WASHINGTON, DC** (Tape 2)

Colonel J. Thomas Manger, Chief of Police, presented the Fairfax County Police Department's plan to respond to the upcoming protests during the International Monetary Fund/World Bank Conference that will be held in Washington, DC on April 16-17, 2000.

(NOTE: Later in the meeting, the Board referred to this item. See Clerk's Summary Item CL#44.)

12. **ADMINISTRATIVE ITEMS** (Tape 2)

Supervisor Hyland moved approval of the Administrative Items. Supervisor Connolly seconded the motion.

Supervisor Connolly called the Board's attention to Admin-5 - Board of Supervisors' Approval for the Fairfax County Police Department to Apply to the US Department of Justice, Office of Community Oriented Policing Services for a Universal Hiring Program Grant and discussion ensued with input from Anthony H. Griffin, County Executive.

Supervisor Connolly called the Board's attention to Admin-7 - Authorization to Advertise a Public Hearing Regarding the Conveyance of County-Owned Property Located at 1560 Spring Hill Road (PART) to Tysons Fire Station, LLE (Providence District). Following discussion, with input from Mr. Griffin, and Louis Lopez, staff, Facilities Management Division, Department of Public Works and Environmental Services, Supervisor Connolly asked to amend the motion to delete this item from consideration, and this was accepted.

The question was called on the motion to approve the Administrative Items, as amended with the exception of Admin 7, and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

ADMIN 1 – INSTALLATION OF MULTI-WAY STOPS AT VARIOUS LOCATIONS (SULLY DISTRICT)

- Endorsed for installation of multi-way stops at the following locations:

- Rock Canyon Drive and Harness Hill Court
- Federation Drive and Singletons Way
- Palisade Drive and Creek Run Drive
- Directed staff to request that the Virginia Department of Transportation be requested to install these signs at the earliest possible date.

ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR PUBLIC FACILITY (2232) REVIEW APPLICATIONS (DRANESVILLE, HUNTER MILL, LEE, MASON, MOUNT VERNON, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

- Applications 2232 FS-V00-14, FS-D00-15, FS-V00-16, FS-P00-17, FS-Y00-18, FS-M00-19, FS-P00-20, FS-M00-21, FS-D00-24, FS-D00-25, FS-D00-26, FS-S00-27, and FS-H00-28 to June 23, 2000
- Application 2232 FS-S00-29 to June 24, 2000
- Application 2232 FS-L00-30 to July 6, 2000

ADMIN 3 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-B-014, THE SALVATION ARMY, INCORPORATED (BRADDOCK DISTRICT)

(AT) Approved the request for four months of additional time for Special Exception Amendment Application SEA 91-B-014 until July 9, 2000, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 4 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO SIGN PROFFERS ON BEHALF OF THE BOARD OF SUPERVISORS IN INSTANCES WHERE REZONINGS INCLUDE RIGHTS-OF-WAY PROPOSED TO BE VACATED AND/OR ABANDONED

Authorized the County Executive to sign proffers on behalf of the Board for rezonings which include rights-of-way that are proposed to be vacated and/or abandoned and where the Board owns the underlying fee.

ADMIN 5 – BOARD OF SUPERVISORS’ APPROVAL FOR THE FAIRFAX COUNTY POLICE DEPARTMENT TO APPLY TO THE US DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY ORIENTED POLICING SERVICES, FOR A UNIVERSAL HIRING PROGRAM GRANT

(NOTE: Earlier in the meeting there was discussion regarding this item. See Clerk’s Summary page four.)

Authorized the Police Department to apply for a Universal Hiring Program grant in the amount of \$2,700,000 from the US Department of Justice. This grant will provide for the establishment of 36 additional sworn law enforcement officer merit positions (36/36.0 SYE). This grant will require a continuing local cash match in the amount of \$8,687,440 over the three-year period of the award, for a total program cost of \$11,387,440. By the end of the grant period, the County will be wholly responsible for funding the positions established under the grant.

ADMIN 6 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF A BOND ISSUE BY THE FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) ON BEHALF OF GREEN HEDGES SCHOOL, INCORPORATED (HUNTER MILL DISTRICT)

(Bonds)

(R)

Adopted the Resolution approving the issuance of a bond issue by EDA on behalf of Green Hedges School, Incorporated.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONVEYANCE OF COUNTY-OWNED PROPERTY LOCATED AT 1560 SPRING HILL ROAD (PART) TO TYSONS FIRE STATION, LLC (PROVIDENCE DISTRICT)

(NOTE: Earlier in the meeting this item was deleted from consideration. See Clerk’s Summary page four.)

13.

A-1 – APPROVAL OF TRAFFIC CALMING MEASURES FOR BLAIR ROAD/BEACHWAY DRIVE AS PART OF THE TRAFFIC CALMING PILOT PROGRAM (TCPP) (MASON DISTRICT) (Tape 3)

Supervisor Gross moved that the Board concur in the recommendation of staff and:

- Approve the traffic-calming plan for Blair Road/Beachway Drive in the joint Fairfax/Virginia Department of Transportation (VDOT) TCPP as follows:
 - One speed hump on Blair Road

- Multi-way stop at Beachway Drive and Nevius Street
- Painting of wider crosswalks on Beachway Drive and Blair Road
- Direct staff to recommend to VDOT to install the approved measures as soon as possible.

Supervisor Connolly seconded the motion.

Following a brief discussion, with input from Douglas W. Hansen, staff, Department of Transportation, the question was called on the motion, which carried by unanimous vote.

14. **A-2 – APPROVAL OF AWARD OF HOME PROGRAM FUNDS TO CHRISTIAN RELIEF SERVICES OF VIRGINIA (CRSVA) FOR ACQUISITION OF UNITS AT THE VILLAGE AT GUM SPRINGS (MOUNT VERNON DISTRICT)** (Tape 3)

Supervisor Hyland moved that the Board concur in the recommendation of staff and approve the Selection Advisory Committee's recommended award of funds:

- ∃ \$228,038 in HOME funds to CRSVA for costs to acquire, at foreclosure sales, up to six townhouse units at the Village at Gum Springs that are part of the County's Affordable Dwelling Unit (ADU) program. These units will be resold to an eligible ADU purchaser with covenants that would return the units to the ADU program.

Supervisor Kauffman seconded the motion.

Following a brief discussion, with input from Bruce A. LaVal, Director, Community Development Division, Department of Housing and Community Development, the question was called on the motion, which carried by unanimous vote.

15. **A-3 – RESOLUTION BY THE FAIRFAX COUNTY BOARD OF SUPERVISORS TO SUBMIT A LOCAL PLAN OF COMMUNITY BASED, PREDISPOSITIONAL AND POSTDISPOSITIONAL SERVICES FOR THE 2000-2002 STATE BIENNIUM BUDGET** (Tape 3)

- (R) On motion of Supervisor Connolly seconded by Supervisor Bulova, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and adopted the Resolution stating the Board's approval of the local plan of predispositional and

postdispositional services which has heretofore been developed by the Fairfax County Juvenile and Domestic Relations Court pursuant to the *Code of Virginia*, Section 16.1-309.2 and 3.

16. **A-4 – ADOPTION OF AN EMERGENCY UNCODIFIED ORDINANCE TO PROVIDE FOR A FIFTY-CENT TAXICAB FUEL SURCHARGE AND AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON AN UNCODIFIED ORDINANCE THAT WILL CONTINUE THE SURCHARGE UNTIL SEPTEMBER 30, 2000** (Tape 3)

(O)(A) Following discussion, with input from Carolyn A. Quetsch, Director, Consumer Services Division, Department of Telecommunications and Consumer Services, Supervisor Hyland moved that the Board:

- ☐ Adopt an emergency uncodified Ordinance to provide for a fifty-cent taxicab fuel surcharge.
- ☐ Authorize the advertisement of a public hearing to be held before the Board on May 8, 2000, regarding the readoption of this emergency uncodified Ordinance.

Supervisor Connolly seconded this motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

17. **A-5 – APPROVAL FOR THE OFFICE FOR WOMEN TO ENTER A COOPERATIVE AGREEMENT WITH THE COMMUNITY BUSINESS PARTNERSHIP AND THE NORTHERN VIRGINIA SMALL BUSINESS DEVELOPMENT CENTER OF THE MASON ENTERPRISE CENTER AT GEORGE MASON UNIVERSITY TO DEVELOP A WOMEN'S BUSINESS CENTER** (Tape 3)

Following discussion, with input from Leia Francisco, Director, Office for Women, Supervisor Hudgins asked unanimous consent that the Board direct staff to encourage participation from the Economic Development Authority (EDA) and the Small Business Commission in the development of the center. Without objection, it was so ordered.

Supervisor Gross moved that the Board:

- Concur in the recommendation of staff and approve the participation of the Office for Women in the development of a Women's Business Center in Fairfax County.
- Approve a contribution of \$35,000 from the reserve for unanticipated grant awards.

- Include Supervisor Hudgins' caveat to solicit the expertise of the EDA and the Small Business Commission.

Supervisor Bulova seconded this motion.

Following further discussion, Supervisor Bulova asked unanimous consent that the Board direct staff to report, in writing, how the EDA and the Small Business Commission will be involved in this effort. Without objection, it was so ordered.

The question was called on the motion, as amended, which carried by unanimous vote.

18. **A-6 - MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE CITY OF FALLS CHURCH, THE COUNTY OF FAIRFAX, AND THE FAIRFAX COUNTY PARK AUTHORITY FOR THE REDEVELOPMENT OF LARRY GRAVES PARK (PROVIDENCE DISTRICT)** (Tape 3)

Supervisor Connolly moved that the Board concur in the recommendation of staff to approve the MOU between the City of Falls Church, the County of Fairfax, and the Fairfax County Park Authority for the redevelopment of Larry Graves Park. Supervisor Bulova and Supervisor McConnell jointly seconded this motion.

Following discussion, with input from Anthony H. Griffin, County Executive, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to respond to his request from the Board meeting held on March 13, 2000, regarding water supplied by the City of Falls Church to a large percentage of Fairfax County residents. Without objection, it was so ordered.

Supervisor Connolly asked to amend the motion to include in the report the status of the improvements in the water pressure in the Tysons Corner area, and this was accepted.

Supervisor Gross stated that as Chair of the Fairfax-Falls Church Inter-jurisdictional Committee, she would work with staff to arrange a meeting with the Mayor of the City of Falls Church.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Frey being out of the room.

19. **C-1 - APPEAL BY MOBIL OIL CORPORATION FROM PLANNING COMMISSION DISAPPROVAL OF CONCEPT PLAN (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated April 3, 2000, to consider whether to accept or reject as improper an appeal filed by Mobil Oil Corporation from the Planning Commission's disapproval of a concept plan for certain property within the Reston Town Center PRC District.

Supervisor Hudgins moved that the Board:

- Express its disagreement with the Deputy County Executive's determination of the decision of the Planning Commission as not proper under the *Virginia Code Section 15.22-301*.
- Accept the appeal and direct staff to bring the appeal before the Board within a reasonable time for consideration of the matter.

Supervisor McConnell seconded the motion.

Following discussion, with input from David P. Bobzien, County Attorney, the question was called on the motion, which carried by unanimous vote.

20. **C-2 - APPEAL BY MOBIL OIL CORPORATION OF THE AGENT OF THE ZONING ADMINISTRATOR'S RESPONSE TO A REQUEST BY MOBIL OIL CORPORATION FOR ZONING ADMINISTRATOR'S INTERPRETATION (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated April 3, 2000, to consider whether to accept or reject as improperly filed an appeal of the Agent of the Zoning Administrator's response to a request for a proffer interpretation, which appeal was filed with the Clerk to the Board but was not filed with the Zoning Administrator as required by Paragraph 10 of Section 18-204 of the Zoning Ordinance and for which no fee was submitted as required by Sections 18-204 and 18-106 of the Zoning Ordinance.

Supervisor Hudgins moved that the Board reject, as improperly filed, an appeal by Mobil Oil of the Agent of the Zoning Administrator's response to a request for a proffer interpretation, which appeal was filed with the Clerk to the Board of Supervisors, but was not filed with the Zoning Administrator as required by Paragraph 10 of Section 18-204 of the Zoning Ordinance and for which no fee was submitted as required by Sections 18-204 and 18-106 of the Zoning Ordinance. Supervisor Hyland seconded this motion and it carried by unanimous vote.

21. **I-1 – INTERNATIONAL BUILDING SAFETY WEEK** (No Tape)

(NOTE: Earlier in the meeting, during presentations, this item was discussed. See Clerk's Summary Item CL#5.)

BOARD MATTERS

NV:nv

22. **ASIAN/PACIFIC AMERICAN HERITAGE MONTH** (Tape 4)

Chairman Hanley stated that the month of May is nationally recognized as Asian/Pacific American Heritage Month. She relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to invite representatives from the Office of Equity Programs and the Asian/Pacific American community to appear before the Board at the April 24, 2000, meeting to receive a proclamation declaring "*Asian/Pacific American Heritage Month*" in Fairfax County. Supervisor Connolly seconded the motion, which carried by unanimous vote.

23. **COMMUNITY DEVELOPMENT WEEK** (Tape 4)

Chairman Hanley stated that the year 2000 marks the twenty-sixth anniversary of Community Development Block Grants (CDBG). It also marks the twenty-fifth anniversary of the CDBG program in the County. Accordingly, she moved that the Board direct staff to invite representatives from the Department of Housing and Community Development (DHCD) and the appropriate community-based organizations to appear before the Board at the April 24, 2000, meeting to receive a proclamation declaring the week of April 24-30, 2000, as "*Community Development Week*" in Fairfax County. Supervisor Gross seconded the motion.

Supervisor Kauffman asked to amend the motion to direct staff to invite Bruce LaVal, Director, Division of Community Development, DHCD, to also appear before the Board in recognition of his efforts, and this was accepted.

The question was called on the motion, which carried by unanimous vote.

24. **LETTER REGARDING COMMUNITY DEVELOPMENT BLOCK GRANTS (CDBG)** (Tape 4)

Chairman Hanley circulated copies of a letter regarding CDBG funding. She moved that the Board direct staff to send the letter to the Chairman of the House Appropriations Subcommittee and the Chairman of the Senate Appropriations Subcommittee, with copies to the Fairfax County delegation. Supervisor Connolly seconded the motion, which carried by unanimous vote.

25. **LETTER FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REGARDING A CENTRAL CROSSING OF THE OCCOQUAN RIVER** (Tape 4)

Chairman Hanley shared with the Board a letter she had received from Thomas F. Farley, District Administrator, VDOT, regarding the exclusion in the Northern Virginia 2020 Transportation Plan of any central crossing of the Occoquan River. The letter was in response to the Board's reiteration of its opposition to any such crossing.

26. **CITIZENS FOR THE PRESERVATION OF WILDLIFE** (Tape 4)

Chairman Hanley stated that the Citizens for the Preservation of Wildlife called to her attention several methods to modify the local habitat to dissuade Canada geese from taking up long term residence in urban areas. She asked unanimous consent that the Board direct staff to work with this citizen group using current information from the United States Department of Agriculture to establish a pilot project to implement a habitat modification program in the area around the Herrity and Pennino Buildings. Without objection, it was so ordered.

27. **BUDGET CONSIDERATION ITEM REGARDING COMPENSATION TO MEMBERS OF BOARDS, AUTHORITIES, AND COMMISSIONS (BACS)**
(Tape 4)

(BACs) Chairman Hanley called the Board's attention to a request she had received from Bill Cramer, Chairman of the Redevelopment and Housing Authority, regarding a request for compensation for the commissioners and a change in policy.

In light of requests from other BACs, Supervisor Bulova asked unanimous consent that the Board direct staff to examine the whole spectrum of BACs and comprehensively review the issue of compensation to members. Without objection, it was so ordered.

Supervisor Mendelsohn asked to amend the request to direct staff to include information regarding how often each BAC meets and its workload, and this was accepted.

Following further discussion, Supervisor Gross asked to amend the request to direct staff to indicate which of the various BACs has fiduciary responsibility, and this was accepted.

Supervisor Kauffman asked to amend the request to direct staff to provide this information prior to the budget markup, and this was accepted.

Supervisor Mendelsohn asked to amend the request to direct staff to provide a list of the BACs that have continued to receive compensation, such as the Commission for Women, despite the budget cuts.

Without objection, the request, as amended, was so ordered.

There was a brief discussion regarding budget inquiries, with input from Anthony H. Griffin, County Executive.

28. **METROBUS SHELTERS** (Tape 4)

Chairman Hanley said that Metro is installing solar-powered lighting devices as a pilot program in Metrobus shelters. She asked unanimous consent that the Board refer this item to staff. Without objection, it was so ordered.

29. **REQUEST FOR TAX FILING EXTENSION FORMS TO BE DISTRIBUTED AT SPRINGFIELD-FRANCONIA METRO STATION**
(Tape 4)

Chairman Hanley called the Board's attention to an e-mail she had received from the Internal Revenue Service (IRS) requesting the use of the Metro stations to offer last-minute assistance to taxpayers by disseminating tax filing extension forms to Metro commuters passing through the Springfield-Franconia Metro Station on April 14 and 17, 2000, during the morning and evening rush hours. IRS employees would be available to provide additional assistance. She asked unanimous consent that the Board refer this item to staff. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

PHM:pmh

30. **HANDOUTS DISTRIBUTED TO STUDENTS OF FAIRFAX COUNTY SCHOOLS** (Tape 5)

Supervisor Mendelsohn referred to a handout that appeared to be distributed by the School System to students and he asked unanimous consent that the Board direct staff to report with the following information:

- ☐ Confirmation that the handout was distributed by the School System
- ☐ The cost of the handout
- ☐ Who paid for the handout
- ☐ The number of copies distributed

Without objection, it was so ordered.

Supervisor Connolly read for the record a note that he had received:

- ⊘ "The Schools' say that you need to hear from me. Hear this, I don't like taxpayers' money being used to lobby the Board of Supervisors. This mailing should have been paid for by the PTAs or a Friend of the Schools Group. It shouldn't be funded through the payroll deduction."

Chairman Hanley announced that information handouts will be available for the upcoming budget public hearings to help citizens understand the budget.

(NOTE: Later in the meeting, the Board discussed a related issue. See Clerk's Summary Item CL#41.)

31. **DULLES CORNER PROPERTIES LLC** (Tape 5)

Supervisor Hudgins said that Dulles Corner Properties, LLC has submitted an application to amend the Conceptual Development Plan and obtain approval of a Final Development Plan on a portion of Dulles Corner. The zoning approval requires the abandonment/vacation of Horse Pen Road prior to the development of Parcel 13. A vacation/abandonment request has been filed with the Office of Transportation. Dulles Corner Properties, LLC would like to include portions of Horse Pen Road (.7738 acres) in their application.

Therefore, Supervisor Hudgins moved that the Board give permission for Dulles Corner Properties, LLC to include a 0.77 acre portion of Old Horse Pen Road right-of-way in Proffered Condition Amendment Application PCA 86-C-029-8 and in accompanying rezoning and final development amendment applications. This motion does not relieve the applicant from complying with the provisions of any application conditions, regulations or adopted standards, and it does not prejudice the consideration of this application in any way. Chairman Hanley seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting the Board revisited this matter. See Clerk's Board Summary CL#42.)

32. **"STROKE AWARENESS MONTH" IN FAIRFAX COUNTY** (Tape 5)

Supervisor Gross moved that the Board:

- ⊘ Designate May as "*Stroke Awareness Month*" in Fairfax County.
- ⊘ Direct staff to invite members from the American Heart Association and Inova Hospital Systems to appear before the Board on May 8, 2000.

Supervisor Connolly seconded the motion and it carried by unanimous vote.

33. **MOSQUITO-BORNE DISEASE** (Tape 5)

Supervisor Gross noted that as warm and wet spring weather approaches, concern about mosquitoes, and especially the diseases they might carry, increases. Health Department inspectors advise that the West Nile Virus has not been found in Northern Virginia. However, Fairfax County residents are anxious about the potential for mosquito-borne diseases as well as the general discomfort mosquito infestation can bring to neighborhoods.

In discussions with health inspectors, Supervisor Gross said that she has been advised that one of the biggest problems contributing to a mosquito problem is the ordinary back yard. Over 75 percent of the yards inspected have breeding problems, with standing water in 55 gallon drums, yard buckets, old tires, upturned garbage can lids, and even plant saucers. In some cases, old swimming pools and plastic baby pools are the culprit. Many times the homeowner is unaware that simple steps can be taken to rid an area of potential infestation.

In an effort to attack the problem early, Supervisor Gross moved that the Board direct staff from the Office of Public Affairs and the Health Department to prepare and disseminate information relating to mosquito control as soon as possible through the regular media outlets, the County's webpage, and civic association mailings. Supervisor Connolly seconded the motion and it carried by unanimous vote.

34. **FORTIETH ANNIVERSARY OF SLEEPY HOLLOW WOODS** (Tape 5)

Supervisor Gross announced that the Sleepy Hollow Woods Civic Association is celebrating its fortieth anniversary this year. The festivities culminate on May 6 with a special block party.

Therefore, Supervisor Gross moved that the Board direct staff to prepare a Certificate of Recognition on the occasion of Sleepy Hollow Woods' Fortieth Anniversary, to be presented at the celebration on May 6, 2000. Supervisor Connolly seconded the motion and it carried by unanimous vote.

35. **GARFIELD ELEMENTARY SCHOOL - EXEMPLARY READING PROGRAM AWARD FOR THE VIRGINIA STATE READING ASSOCIATION** (Tape 5)

Supervisor Kauffman announced that Garfield Elementary School has been selected as the winner of the Exemplary Reading Program Award for the Virginia State Reading Association. This award recognizes only one school in the State for outstanding service to reading and literacy education.

Supervisor Kauffman said that Garfield Elementary School has a richly diverse cultural population and is dedicated to providing a high quality literacy environment. The children attending Garfield come from more than 20 countries and speak more than 20 languages.

Supervisor Kauffman moved that the Board direct staff to invite Dr. Judith Thompson, Principal of Garfield Elementary School; Pat Johnson, Garfield's reading teacher; and teaching staff, parents, and children to appear before the Board on May 22, 2000, to be recognized for their efforts. Supervisor McConnell seconded the motion and it carried by unanimous vote.

36. **REZONING APPLICATION RZ 1998-LE-074 (ARCHSTONE COMMUNITIES TRUST)** (Tape 5)

- (A) Supervisor Kauffman said that Archstone Communities Trust has been working on a rezoning application with the Lee District community, including the Lee District Land Use Committee, the Van Dorn Special Comprehensive Plan Task Force, and County staff for over a year. Recently the Land Use Committee approved their plans. Their willingness to work with the citizens over this period of time and their ability to work out countless details with staff, resulting in a change in recommendation from denial to approval prompted the committee to approve the application.

Therefore, Supervisor Kauffman moved that the Board direct staff to schedule a public hearing to be held before the Board on May 8, 2000, on Rezoning Application RZ-1998-LE-074. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or adopted standards in any way. Supervisor McConnell seconded the motion and it carried by unanimous vote.

37. **RESTRICTION OF THROUGH TRUCK TRAFFIC ON BULL ROAD POST OFFICE ROAD, STONE ROAD, AND POPLAR TREE ROAD** (Tape 5)

Supervisor Frey said that citizens residing along Bull Run Post Office Road, Stone Road, and Poplar Tree Road have requested the restriction of through truck traffic on these roadways.

Supervisor Frey moved that the Board direct staff to collect appropriate information and data required for a formal analysis, and report with their finding as soon as possible. Chairman Hanley and Supervisor Connolly jointly seconded the motion and it carried by unanimous vote.

38. **COMMENDATION TO STAFF** (Tape 5)

Supervisor Frey commended Zofia A. Zager, Director/Building Official, Office of Building Code Services, Department of Public Works and Environmental Services (DPWES); Brian W. Smith, Deputy Director/Deputy Building Official, DPWES, and all who worked on the seminar to kick-off the quest for development of a new system to process permits and conduct inspections.

There was a brief discussion of this item.

NV:nv

39. **APPOINTMENT TO THE FAIRFAX AREA COMMISSION ON AGING**
(Tape 6)

(APPT) Supervisor Bulova moved the appointment of the Reverend Ronald G. Qualley as the Braddock District Representative to the Fairfax Area Commission on Aging. Supervisor McConnell seconded the motion and it carried by unanimous vote.

40. **RECOGNITION OF MS. GAIL RITCHIE** (Tape 6)

Supervisor Bulova stated that an article in the March 30, 2000, "Fairfax County Weekly" section of *The Washington Post* announced that Gail Ritchie, a kindergarten and first grade teacher at Kings Park Elementary School, has been named Fairfax County Public Schools' *Teacher of the Year*. She also received the *Washington Post's Agnes Meyer Outstanding Teacher Award for Educational Excellence* and will represent Fairfax in a competition for *Virginia Teacher of the Year*. The State winner will be announced in the fall.

Accordingly, Supervisor Bulova asked unanimous consent that the Board direct staff to invite Ms. Ritchie to appear before the Board to be thanked and recognized for her achievement. Without objection, it was so ordered.

41. **SCHOOL DIVISION ISSUES** (Tape 6)

(NOTE: Earlier in the meeting, the Board took action regarding a school handout concerning the budget. See Clerk's Board Summary Item CL#30.)

With reference to a related Board Matter presented by Supervisor Mendelsohn, Supervisor Bulova stated her understanding that a videotape was aired repeatedly at the Schools' office at Chapel Square urging concerned residents to testify before the Board of Supervisors. She asked unanimous consent that the Board direct staff to determine:

- Whether the videotape was aired on (cable station) Apple 21.
- How it was produced.
- Its content.
- Its cost.

Supervisor Mendelsohn asked to amend the request to direct staff to determine what else the School Division has done regarding producing or lobbying. Without objection, it was so ordered.

Supervisor Bulova pointed out that the Board did not yet know whether another group funded the videotape.

Following discussion, Chairman Hanley reiterated some questions she had asked of the School Board regarding the Capital Improvement Program and the acceleration of projects. Specifically, she relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to ask the School Board again for the following information:

- The cost of the buses
- The leases
- The amount in this year's School Budget, and whether it is lease/purchase or purchase outright
- If lease/purchase, the remaining cost of the lease and how much the School Division is paying annually that would be in its budget additionally for the lease of buses
- The outstanding lease cost of buses for the School Division

Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, budget information relating to the School Division was distributed. See Clerk's Board Summary Item CL#66.)

42. **HORSE PEN ROAD** (Tape 6)

(NOTE: Earlier in the meeting, the Board took action regarding Horse Pen Road. See Clerk's Board Summary Item CL#31.)

Supervisor Mendelsohn stated that he had just received an e-mail regarding Supervisor Hudgins' Board Matter on the Dulles Corner Properties. Discussion ensued regarding whether the right-of-way property on Horse Pen Road involves the Toll Road fly-over, which it does not.

43. **SIGNAGE FOR OCCOQUAN WATERSHED** (Tape 6)

Supervisor McConnell reminded the Board that it has taken numerous actions over the years to protect the Occoquan Watershed area. Many people know generally what the Occoquan Watershed is, but not necessarily its location. She noted that other jurisdictions post informational signs in watershed areas to foster public awareness. Mayor Chesley of Clifton suggested a sign for the area.

Accordingly, Supervisor McConnell moved that the Board direct the:

- Staff of the Department of Public Works and Environmental Services to investigate whether Water Authority funds might be available to fund such signs.
- County Executive to investigate the placement of signage to enhance public awareness of the Occoquan Watershed and its importance to the County. The signs would be placed utilizing public land in the region of the watershed. Suggested locations are Yates Ford Bridge as one enters the County at the marina, Clifton Road and Braddock Road at the Park or golf course, and Burke Lake Road at the park.

Supervisor Frey seconded the motion.

Following discussion, Supervisor Frey asked to amend the motion to review all of the locations to identify the watershed, and this was accepted.

The question was called on the motion, as amended, which carried by unanimous vote.

44. **STATUS OF INTERJURISDICTIONAL PUBLIC SAFETY AGREEMENT REGARDING THE WOODROW WILSON BRIDGE** (Tape 6)

(NOTE: Earlier in the meeting, Col. J. Thomas Manger, Chief of Police, made a presentation regarding preparations for the World Trade Organization demonstrations. See Clerk's Board Summary Item CL#11.)

With reference to the presentation regarding preparations for the World Trade Organization demonstrations, Supervisor McConnell reminded the Board that last year jumpers on the Woodrow Wilson Bridge closed the bridge for hours on two occasions. In light of these incidents, she reminded the Board that area jurisdictions reached an agreement on how to handle future incidents. However, the District of Columbia (DC) has not yet signed the agreement. She moved that the Board:

- Authorize the Chairman to write a letter to DC Mayor Anthony Williams requesting that he sign the agreement.
- Request Congress to, under the new bridge, give authority to Maryland and Virginia, if DC does not sign the agreement.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion by changing it to a unanimous request to direct staff to inquire as to the status of the discussions on the issue and provide this information to the Board, and this was accepted. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

45. **STIPEND FOR FAIRFAX COUNTY WATER AUTHORITY MEMBERS**
(Tape 6)

(BACs) (NOTE: Earlier in the meeting, the Board took action regarding compensation to members of Boards, Authorities, and Commissions. See Clerk's Board Summary Item CL#27.)

With reference to his written Board Matter on the subject of a stipend for Water Authority members, Supervisor Hyland indicated that the Board took action on this item earlier in the meeting.

46. **ADDITIONAL ASSIGNMENT FOR COUNTY'S FEDERAL LOBBYIST**
(Tape 6)

Supervisor Hyland asked unanimous consent that the Board add to the action agenda of the County's federal lobbyist the effort to locate the national army museum at Fort Belvoir. Without objection, it was so ordered.

47. **BUDGET CONSIDERATION ITEMS** (Tape 6)

Supervisor Hyland asked unanimous consent that the Board direct staff to include the following three consideration items in the Fiscal Year (FY) 2001 Budget:

- \$25,000 for a contingency fund to make the national army museum a reality
- \$39,098 for the Master Gardener/Farmers' Market Program (which was already requested by Supervisor Gross)
- \$57,750 to sustain the mission of the Southeast Fairfax Development Center

Without objection, it was so ordered.

48. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-PR-045 IN PROVIDENCE DISTRICT** (Tape 6)

Supervisor Connolly announced his intent to defer at the appropriate time the public hearing on Rezoning Application RZ 1999-PR-045 until July 24, 2000, at 3 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Board Summary Item CL#64.)

49. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-SU-054 IN SULLY DISTRICT** (Tape 6)

Supervisor Frey announced his intent to defer at the appropriate time the public hearing on Rezoning Application RZ 1999-SU-054 until April 24, 2000, at 3 p.m.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Board Summary Item CL#57.)

50. **SPEAKERS FOR THE BUDGET PUBLIC HEARINGS** (Tape 6)

Chairman Hanley raised the issue of the number of scheduled speakers for the three nights of budget public hearings. Following discussion, with input from Nancy Vehrs, Clerk to the Board, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct the Clerk to keep the Board posted on how many speakers have been added to both Tuesday and Wednesday nights' lists and to try to schedule as many as 90-100 speakers on Tuesday. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

(NOTE: Later in the meeting, this public hearing was conducted. See Clerk's Board Summary Item CL#68.)

51. **RECESS/CLOSED SESSION** (Tape 6)

At 1:05 p.m., Supervisor Connolly moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the agenda for this meeting, and in addition:

- *Jesse Dennis Dylan versus the Board of Supervisors of Fairfax County, Virginia, At Law Number 178108*

Chairman Hanley announced that should this motion carry, the Board would convene closed session at 2 p.m.

Supervisor Gross seconded the motion, which carried by unanimous vote.

At 3:10 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

ACTIONS FROM CLOSED SESSION

52. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements

and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

53. **AUTHORIZATION OF THE SETTLEMENT OF JESSE DENNIS DYLAN VERSUS THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 178108** (Tape 7)

Supervisor McConnell moved that the Board authorize the settlement of *Jesse Dennis Dylan versus Board of Supervisors of Fairfax County*, At Law Number 178108, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion, which carried by unanimous vote.

54. **SPECIAL TAX DISTRICT** (Tape 7)

Supervisor Connolly stated that a number of citizens from Providence District have requested that he consider whether the Board should form a special tax district for the purpose of purchasing land that is the subject of a rezoning application being proposed by Hearthstone/Vanguard Joint Venture in Oakton. Whether such a district should be created presents a number of issues that warrant careful consideration.

Therefore, Supervisor Connolly moved that the Board direct staff to review and present to the Board no later than May 1, 2000, a number of possible options and staff recommendations on the possible creation of such a special tax district. Supervisor Gross seconded the motion, which carried by unanimous vote.

55. **PINE RIDGE SITE** (Tape 7)

Supervisor Gross moved to reconsider the action taken March 27, 2000, by the Board regarding the Pine Ridge site and parcel six. Supervisor Connolly seconded the motion, which **CARRIED** by a recorded vote of eight, Supervisor Frey and Supervisor Mendelsohn voting "NAY."

Supervisor Gross moved a substitute motion that the Board defer decision while continuing to negotiate with the School Board for the acquisition of Pine Ridge. Supervisor Connolly seconded the motion.

Following discussion, the question was called on the substitute motion, which **CARRIED** by a recorded vote of nine, Supervisor Mendelsohn voting "NAY."

Following input from David P. Bobzien, County Attorney, the question was called on the main motion, as substituted, which carried by unanimous vote.

AGENDA ITEMS

SBE:sbe

56. **3 P.M. - PH ON REZONING APPLICATION RZ 1999-LE-036 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 86-L-073-3 (CENTEX HOMES) (LEE DISTRICT)** (Tape 7)

(O) Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

Mr. Lawrence had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Krishnan Suthanthiran

Following the public hearing, Cathy Lewis, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Proffered Condition Amendment Application PCA 86-L-073-3, subject to the proffers consistent with those set forth in Appendix 2A of the staff report dated January 7, 2000.
- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-LE-036 from the I-4 District to the PDH-4 District subject to the development conditions dated February 10, 2000.
- Waiver of the 600 foot maximum private street length for both Rezoning Application RZ 1999-LE-036 and Proffered Condition Amendment Application PCA 86-L-073-3.
- Direction to staff to return the final site plans to the Planning Commission for administrative review prior to the issuance of the site permit.

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Connolly and Supervisor Mendelsohn being out of the room.

57. **3 P.M. - PH ON REZONING APPLICATION RZ 1999-SU-054 (CHANTILLY GREEN, LC AND CHANTILLY EAST, LC) (SULLY DISTRICT)** (Tape 7)

Supervisor Frey moved to defer the public hearing on Rezoning Application RZ 1999-SU-054 until **April 24, 2000, at 3 p.m.** Supervisor Gross seconded the motion and it carried by a vote of eight, Supervisor Connolly and Supervisor Mendelsohn being out of the room.

58. **3 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 00-Y-001 (A&R FOODS, INCORPORATED) (SULLY DISTRICT)** (Tape 7)

Mr. Jay du Von reaffirmed the validity of the affidavit for the record.

Mr. du Von had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor McConnell disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Ronald C. Devine

Supervisor Frey disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Ronald C. Devine

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Ronald C. Devine

Following the public hearing, which included testimony by three speakers, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- Approval of Special Exception Application SE 00-Y-001, subject to the development conditions dated March 30, 2000, as recommended by the Planning Commission.

- Modification of the transitional screening requirements and waiver of the barrier requirement along Old Centreville Road as depicted on the special exception plat, with the deletion of the second bullet under condition number nine and the addition of a condition requiring the special exception conditions to be displayed on site in a prominent location.
- Modification of the peripheral parking lot landscaping requirements along Centreville Road to that depicted on the special exception plat as further modified by the development conditions.

Supervisor McConnell seconded the motion and it carried by a vote of nine, Supervisor Connolly being out of the room.

59. **3:30 P.M. – PH ON THE FISCAL YEAR (FY) 2001 EFFECTIVE TAX RATE INCREASE** (Tape 7)

Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issue of March 17, 2000.

Following discussion with input from Edward L. Long, Jr., Chief Financial Officer, the public hearing was held on the FY 2001 Effective Tax Rate Increase, with testimony presented by two speakers.

Supervisor Mendelsohn asked unanimous consent that the Board direct Anthony H. Griffin, County Executive, to direct staff in the Department of Tax Administration exercise more sensitivity to the citizens who call with questions about their real estate taxes. Without objection, it was so ordered.

Supervisor Bulova moved to defer decision on the Fiscal Year (FY) 2001 Effective Tax Rate Increase until after the conclusion of the public hearing for the FY 2001 Budget that will begin today, which will put the Board in the position of acting on the tax rate, as required by Virginia Code, after the Board gains a better understanding of the needs and interests of the community. Supervisor Mendelsohn seconded the motion and it carried by unanimous vote.

The decision on the tax rate will coincide with the adoption of the *Fiscal Year (FY) 2001 Advertised Budget Plan* on April 24, 2000.

60. **3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 67.1 (SANITARY SEWERS AND SEWAGE DISPOSAL), ARTICLE 10, CHARGES TO REVISE THE SEWER SERVICE CHARGES AND THE AVAILABILITY FEES (COUNTYWIDE)** (Tape 7)

Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of March 16 and 23, 2000.

Following the public hearing, Supervisor Bulova moved to defer decision on the proposed amendment to the Code of the County of Fairfax, Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10 (Charges), Section 2, to revise the availability fee rate schedule for residential, commercial, and all other users desiring to connect to the County sanitary sewer facilities and to change all references to the unit sewer cost, until April 24, 2000. Supervisor Connolly seconded the motion and it carried by unanimous vote.

61. **3:30 P.M. - PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), SECTION 41-2-4(A), REGARDING OFF-LEASH OR DOG EXERCISE AREAS** (Tapes 7-8)

- (O) Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issues of March 16 and March 23, 2000.

Following the public hearing, which included testimony by seven speakers, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to provide information to Ms. Nancy Myers, (Speaker Seven), regarding her question on the applicability of the proposed amendment in parks owned and operated by the Town of Herndon. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Following discussion, with input from Paul L. Baldino, Director, Fairfax County Park Authority, and Edward E. Rose, III, Assistant County Attorney, Supervisor Hudgins asked unanimous consent that the Board direct staff to provide information about any process required or limitations regarding the use of rights-of-way that are not owned by the County, such as easements and Virginia Department of Transportation parcels. Without objection, it was so ordered.

Supervisor Kauffman asked unanimous consent that the Board direct staff to provide a comprehensive list of requirements and things for which persons or organizations would be responsible if they wished to sponsor a dog run area, should this amendment be adopted. Without objection, it was so ordered.

Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), Section 41-2-4(a), to allow the County to designate certain areas within the County as off-leash or dog exercise areas. Supervisor McConnell seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct the Park Authority to proceed quickly to identify and implement an appropriate number of sites throughout the County that would be feasible for "puppy parks." Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

Supervisor Frey moved that the Board direct staff to prepare another proposed Code amendment for advertisement to include areas owned by the Northern Virginia Regional Park Authority. Supervisor Connolly seconded the motion and it carried by unanimous vote.

62. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1999-MV-049 (STORAGE PARTNERS I, INCORPORATED (MOUNT VERNON DISTRICT)** (Tape 8)

(O) Mr. William C. Thomas, Jr. reaffirmed the validity of the affidavit for the record.

Mr. Thomas had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Supervisor McConnell disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Robert M. Jones

Supervisor Kauffman disclosed the following campaign contribution which he had received:

- In excess of \$200 from Mr. Bernard M. Fagelson

Following the public hearing, Catherine Sieber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-MV-049 from the R-1 District to the I-5 District subject to the development conditions dated February 17, 2000.
- Modification of the transitional screening requirements on the northern and southern peripheries of the application property.
- Waiver of the barrier requirements on a portion of the southern periphery of the application property.

Supervisor Kauffman seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

63. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-C-032 (WESTERRA RESTON, LLC) (HUNTER MILL DISTRICT)** (Tape 8)

Mr. John J. Bellaschi reaffirmed the validity of the affidavit for the record.

Mr. Bellaschi had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere

Following the public hearing, which included testimony by one speaker, Jackie Blue, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of Proffered Condition Amendment Application PCA 79-C-032 subject to the proffers dated February 7, 2000. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

64. **4 P.M. - PH ON REZONING APPLICATION RZ 1999-PR-045 (VIVIAN JOHNSON) (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly moved to defer decision on Rezoning Application RZ 1999-PR-045 until **July 24, 2000, at 3 p.m.** This motion, the second to which was inaudible, carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

65. **4 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-A-052 (TRUSTEES OF ST. STEPHENS UNITED METHODIST CHURCH) (BRADDOCK DISTRICT)** (Tape 8)

Ms. Lori Greenlief reaffirmed the validity of the affidavit for the record.

Ms. Greenlief had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Bulova moved:

- Approval of Special Exception Amendment Application SEA 84-A-052 subject to the development conditions dated March 27, 2000, with the modification to the last sentence in condition six, which would add:
 - "Exterior lights, except for security, parking lot and walkway lighting, shall be turned off after the facility's hours of operation."
- Modification of the transitional screening requirements and waiver of the barrier requirements along all property lines to that depicted on the special exception plat.
- Waiver of the requirement for construction of frontage improvements along Braddock Road.

Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

ADDITIONAL BOARD MATTER66. **DISTRIBUTION OF BUDGET ITEMS** (Tape 8)

Chairman Hanley called to the Board's attention that staff had distributed the next package of budget answers, a long list of consideration items, and two items that will be made available to the citizens on the tables as they enter the Board Auditorium for the public hearings. Chairman Hanley noted that the two items were provided by the Fairfax County Public Schools.

67. **BOARD RECESS** (Tapes 8-9)

At 5:05 p.m., the Board recessed for dinner and at 7:25 p.m., reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

AGENDA ITEM68. **7:30 P.M. - PH ON THE PROPOSED ADOPTION OF THE COUNTY EXECUTIVE'S PROPOSED FISCAL YEAR (FY) 2001 ADVERTISED BUDGET PLAN AND THE CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FY 2001-2005 (WITH FISCAL YEARS TO 2008)** (Tapes 9-12)

Certificate of Publication was filed from the editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that newspaper in the issue of March 17, 2000:

- The County Executive's FY 2001 Advertised Budget Plan
- The CIP for FY 2001-2005 (with Future Fiscal Years to 2008)

The public hearing was held with testimony presented by 60 speakers.

The decision on the adoption of the *Fiscal Year (FY) 2001 Advertised Budget Plan* is scheduled for April 24, 2000.

69. **BOARD RECESS** (Tape 12)

At 11:55 p.m., the Board recessed until April 4, 2000, at 7:30 p.m. for the following :

- Continuation of the Public Hearing on the Proposed adoption of the County Executive's Fiscal Year (FY) 2001 Advertised Budget Plan.

- Continuation of the Public Hearing on the Proposed Capital Improvement Program (CIP) for FY 2001-2005 (with future fiscal years to 2008).
- Public Hearing on Amendments to the Current Appropriation Level in the FY 2000 Revised Budget Plan